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Interpreting Slavery

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The Edinburgh Legal History Blog

Interpreting Slavery

Posted on 21/09/2011 by John Cairns

The recent conviction of two Scots for trafficking vulnerable individuals as male and female prostitutes, and the extraordinary Bedfordshire case where, allegedly, some men were held against their will – for up to fifteen years – and forced to work for no pay, serve to remind us of the continuing prevalence of the "peculiar institution". Detective Inspector Stephen Grant from Strathclyde Police's major investigation teams hit it on the nail when he said: "Human beings are not products which can ever be bought and sold and this will never be tolerated." See <http://www.bbc.co.uk/news/uk-scotland-14857004> and <http://www.bbc.co.uk/news/uk-england-beds-bucks-herts-14878181>

This Blog has tended to be interested in slavery as a historical institution, but your blogger has been involved in recent years with an international research network exploring the topic "The Legal Parameters of Slavery". This has focused on the definition of slavery in international law. What counts as slavery is contested and the subject of much academic debate. In international law in particular there has been some uncertainty over the proper interpretation of the definition of slavery in the 1926 Convention of the League of Nations on slavery and the slave trade; this is still the authoritative definition in international law. The group, funded by the AHRC, though with meetings generously supported also by other institutions, consists of historians, legal historians, sociologists, and lawyers, some in academic posts, some working for NGOs. See <http://www.qub.ac.uk/schools/SchoolofLaw/Research/ResearchProjects/SlaveryasThePowersAttachingtotheRightofOwnership/>

Under the genial leadership of Jean Allain of Queen's University Belfast, the Group met in 2010 at the Rockefeller Foundation's Conference Centre in Bellagio, Italy.



This year we met in Cambridge, Massachusetts, at Harvard University, where the local host was Orlando

Patterson. Unfortunately, Hurricane Irene disrupted the event and some colleagues were unable to make the Cambridge meeting. Nonetheless it was a worthwhile event and made significant progress on the topic. The aim is to produce an edited collection exploring all aspects of the issue, with the views of the Group distilled

into "Guidelines" to help judges, legislators, and prosecutors.

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